

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

*City of Long Beach, Mississippi v. Purdue
Pharma, L.P. et al.*, Case No. 1:19-op-45517

MDL No. 2804

Case No. 1:17-MD-2804

Judge Dan Aaron Polster

STIPULATION OF DISMISSAL OF RITE AID DEFENDANTS

IT IS HEREBY STIPULATED AND AGREED, by and among the parties represented by the undersigned counsel, that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Defendant Rite Aid Corporation is DISMISSED from the above-referenced action without prejudice. Harco, Inc. shall be substituted in as a defendant for Rite Aid Corporation. All allegations in the operative Complaint regarding Rite Aid Corporation shall be construed as allegations against Harco, Inc., and all prior and subsequent proceedings shall be deemed amended accordingly.

The agreement of Harco, Inc. to be substituted in as a party defendant to this case is without prejudice to any defenses, counterclaims, cross-claims, arguments, or other legal positions available to Harco, Inc. except for any objection to service of process.

Dated: February 28, 2020

Respectfully submitted,

/s/ Matthew G. Mestayer

Matthew G. Mestayer, Esq., MS Bar #9646
Jim Reeves, Esq., MS Bar #9179
Reeves & Mestayer, PLLC
160 Main Street

Biloxi, MS 39530
Telephone: 228-374-5151
Facsimile: 228-374-6630
E-Mail: mgm@rmlawcall.com
jrr@rmlawcall.com

Counsel for Plaintiff City of Long Beach

/s/ Kelly A. Moore
Kelly A. Moore
Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, NY 10178-0060
Telephone: 212-309-6612
Fax: 212-309-6001
Email: kelly.moore@morganlewis.com

Elisa P. McEnroe
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: 215-963-5917
Fax: 215-963-5001
Email: elisa.mcenroe@morganlewis.com

*Counsel for Rite Aid Corporation
and Harco, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of February 2020, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF Systems.

/s/ Kelly A. Moore

Kelly A. Moore